

## **REMARKS/ARGUMENTS**

In the Office Action dated May 11, 2005 the Examiner rejected claims 7 and 18 under 35 U.S.C. § 112 and rejected claims 1-30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,728,918, issued to Nay et al. (hereinafter *Nay*). The Applicant amends the claims and responds as follows.

### **Rejections under 35 U.S.C. § 112**

Claims 7 and 18 have been amended to more clearly define the scope of the claim. In particular the claims have been amended to claim any C<sub>1</sub>-C<sub>5</sub> light hydrocarbon and mixtures thereof as discussed in paragraph [0035] of the original application. Claims 7 and 18 now comply with the requirements of 35 U.S.C. 112 and the Examiner's rejections should be withdrawn.

### **Rejections under 35 U.S.C. § 102(b)**

Claims 1-30 were rejected as being anticipated by *Nay*. Claims 1, 13, and 30 have been amended to claim that the carbon monoxide in the reduction gas is at a concentration of between 1 ppm and 5000 ppm. *Nay* discloses using a gas composed substantially entirely of carbon monoxide. Col. 1, Lines 38-44. *Nay* also discloses that the gas may contain hydrogen but it is "essential" that the hydrogen be less than 30% v based on the volume of carbon monoxide. Col. 1, Lines 45-51. If the gas contains at most 30% v of hydrogen the remainder of the gas, e.g. 70% v, as stated in *Nay* "must be composed substantially entirely of carbon monoxide or of carbon monoxide containing only small amounts of other materials." Col. 1, Lines 38-40.

It is clear that *Nay* does not teach or disclose using a gas that has carbon monoxide concentration of between 1 ppm and 5000 ppm as is claimed. Because *Nay* does not teach a gas containing between 1 ppm and 5000 ppm of carbon monoxide, claims 1, 13, and 30 are not anticipated by *Nay*. Claims 2-7, 9-12, and 31 depend from claim 1 and are also not anticipated by *Nay*. Claims 13-18, 20-29, and 32 depend from claim 13 and are also not anticipated by *Nay*. Claims 8 and 19 have been cancelled. Claims 31 and 32 have been added to further claim the current invention and are supported by original claims 7 and 18.

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**Information Disclosure Statement filed January 21, 2004**

Applicant filed an Information Disclosure Statement on January 21, 2004 that does not appear to have been considered by the Examiner as no initialed form 1449 was attached to the Office Action. A second supplemental Information Disclosure Statement is filed herewith with additional relevant art that has recently come to the Applicant's attention.

**Conclusion**

The Applicant believes that this application is in condition for allowance and requests that the Examiner withdraw the rejections and issue a Notice of Allowance. If the Examiner believes that a telephonic interview would be beneficial, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,



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